

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_, 2004:

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Present

Vote

Thomas G. Shepperd, Jr., Chairman  
James S. Burgett, Vice Chairman  
Walter C. Zaremba  
Sheila S. Noll  
Kenneth L. Bowman

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On motion of \_\_\_\_\_, which carried \_\_\_\_, the following resolution was adopted:

A RESOLUTION DECLARING THE NECESSITY TO ENTER UPON AND TAKE A 1,096 SQUARE FOOT PERMANENT UTILITY EASEMENT LOCATED ON PROPERTY AT 112 NINA CIRCLE, TAX MAP PARCEL NO. 2F-7-7-127 IN CONNECTION WITH THE SKIMINO HILLS SEWER PROJECT

WHEREAS, it is necessary to obtain certain easements in connection with the Skimino Hills sewer project; and

WHEREAS, for various reasons, the County is not able to obtain from the owner of such property clear title to the interests in real estate necessary, or no agreement has been reached as to the consideration to be paid for the said interests; and

WHEREAS, plat of the interest in real property to be acquired have been prepared by Draper Aden Associates, and appraisals of such interests have been prepared; and

WHEREAS, § 15.2-1905 C, Code of Virginia, authorizes the Board to adopt a resolution following a public hearing on the matter declaring its intent to enter and take specified properties, rights-of-way or easements for such purposes as constructing, installing, expanding, maintaining, or repairing pipelines, meter boxes, pumps, or any other appurtenances to a sewerage disposal and water system.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this \_\_\_\_ day of \_\_\_\_\_, 2004, that the Board finds that it is necessary for the protection and preservation of the public health, safety and welfare, and for the timely completion of the Back Creek sewer project, for the County, its officers, employees and agents to enter upon and take the interests in real property described below prior to the initiation of condemnation proceedings.

BE IT FURTHER RESOLVED that the interests to be taken, and the compensation and damages, if any, offered by the County for each are the following, which interests are more particularly described on the plat attached to the Report of the County Attorney dated November 3, 2004, and incorporated herein by this reference:

Tax Map No. 2F-7-7-127

A permanent utility easement as shown on a plat entitled "Compiled Plat Showing Proposed 15' Permanent Utility Easement Across the Property of Marsha G. Forrest, Skimino Hills, Section Seven, Lot 127, Bruton Magisterial District, York County, Virginia," dated June 30, 2004, prepared by Draper Aden Associates, and designated as "Proposed 15' Permanent Utility Easement Hereby Conveyed to York County, 1,096 sq. ft." Value offered to Owner: \$898.00.

BE IT STILL FURTHER RESOLVED that the Chairman of the Board of Supervisors, the County Treasurer and the County Attorney are hereby authorized and directed, for and on behalf of the County, to execute certificate to be recorded in the Office of the Clerk of the Circuit Court for York County, certifying the amounts set forth above as the fair value, and damages if any, of the interests to be taken, will be paid the owner in accordance with the provisions of State law and upon order of the Court.

BE IT STILL FURTHER RESOLVED that the County Attorney be, and he is hereby, authorized, if necessary and appropriate, at any time following the date of this Resolution, to institute condemnation proceedings in the name of the Board of Supervisors to acquire title to the interests in the property described above, including, if necessary, any other easements or restrictions that may affect the easements sought to be acquired, and to do all things necessary as a prerequisite thereto.